

Remarks

Applicants request reconsideration of the claims of this application based upon the following remarks.

Claims 1, 2, 4-6 and 9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Morefield (U.S. 6,536,983). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Morefield in view of Hobbs et al. (U.S. 5,613,726).

The Morefield patent is directed to a crimp joint for pressure containing gas and fluid distribution systems. In contrast, Applicants' claims are directed to a reduced radius hem assembly for joining an inner panel and an outer panel together. It is respectfully submitted that the Examiner's tortured reading of the Morefield reference fails to support his position that claims 1-2, 4-6 and 9 are anticipated by the Morefield patent. The Examiner construes the bonnet 12 of the Morefield patent as an inner panel. However, the bonnet is not a panel at all, but is part of a gas regulator for an LP gas system. The Examiner's position is based upon an annotated drawing that is a magnified fragmentary portion of Figure 6 of the Morefield patent. However, the Morefield patent fails to disclose each and every limitation of the claimed invention and, therefore, cannot constitute anticipation of the claimed invention. The Examiner refers to an inner surface A leading to a portion of a curved radius arc of the bead 82 that forms part of the crimp joint that is the subject of the Morefield patent. The more closely analogous surface to the inner surface 18 of the claimed invention is the surface 84 of the Morefield patent. However, the Examiner does not rely upon this surface because it does not define the parallel surface relative to the outer surface 42 in the Morefield patent. The angular orientation of the surface 84 is not parallel as it is inclined at an angle A in the full view of Figure 6 in the Morefield patent.

The Morefield patent also fails to anticipate a beveled surface that is referred to in the patent by reference numeral 22 and is claimed as "A beveled surface located between and contiguous with the end and inner surface, the beveled surface being disposed inboard of the intersection of the first and second planes." To arrive at his conclusion of anticipation, the Examiner refers to a radiused portion of Figure 6 that he indicates by reference letter C. The Examiner's construction fails because there is no beveled surface disposed inboard of the

intersection of the first and second planes. A “bevel” is defined as “the angle that one surface or line makes with another when they are not at right angles.” WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY (1986). The first plane defined in the patent claim is the plane in which the end of the inner panel is located and the second plane is defined is the inner surface of the inner panel that is generally perpendicular to the end. In the Morefield patent, the inner surface is not lying in the second plane that is generally perpendicular to the end surface and there is no beveled surface disposed inboard of the intersection of the first and second planes. The Examiner’s rejection rests upon his erroneous analysis of a curved bead 82, which he relies upon to meet three separate elements: an inner surface A; an end B disposed in a first plane; and a beveled surface C that is located between and contiguous with end B and inner surface A. In short, the Examiner is relying upon a single curved bead surface to satisfy three separate limitations of claim 1. The Morefield patent does not anticipate Applicants’ invention as claimed in claim 1.

Claim 2 specifies that the thickness of the inner panel is greater than the thickness of the outer panel. The Morefield patent does not disclose panels at all. The Examiner states that the thickness of the inner panel 12 (at flange 22) is greater than the thickness of the outer panel 14. However, the Examiner’s remarks on this pipe fitting reference is inapposite. Claim 2 specifies the relative thickness of two panels while the Examiner’s rejection relies upon a non-analogous structure that he takes arbitrary sections of to support his flawed anticipation argument. Claim 2 is not anticipated by the Morefield patent because the Morefield patent has nothing to do with either an inner or an outer panel. The bonnet 12 and body 14 of the gas regulator 10 disclosed in Morefield cannot be construed to be panels of different thickness as specified in claim 2.

Claim 4 is directed to a reduced radius hem assembly having a perimeter flange of the inner panel that is provided with a **beveled surface** that extends across a portion of the perimeter flange. The Examiner’s anticipation position relies upon flawed reasoning that Morefield discloses a hem assembly and refers to the central portion of a bead 82 that is a radiused bead. The Morefield patent does not disclose a distinct beveled surface as claimed in claim 4 and as shown at reference numeral 22 in the drawings of the application. It is respectfully submitted that the beveled surface C indicated by the Examiner is not a beveled

surface at all, but is a radiused bead that utterly fails to anticipate Applicants' claimed invention.

Claim 5 is directed to a hem assembly that includes areas that define cut lines and wherein the beveled surface is provided in the areas defining cut lines. This limitation is supported by the specification at paragraph 26 which states:

The invention may be practiced on all or only a portion of a hem assembly 10. For example, a door may have straight hem areas that are simple to form and cut lines or curved areas that are difficult to form. The beveled surface 22 may be formed on the perimeter flange 18 of the inner panel 12 only where the difficult to form cut lines and curved surfaces exist to eliminate hemming problems. The beveled surface 22 could also be formed in straight hem areas to improve overall craftsmanship of the body panel.

The Examiner's comment on claim 5 is based upon an inherency argument wherein the Examiner states that inner and outer panels 12, 14 (that are actually the bonnet 12 and body 14 of the gas regulator 10) are cut from larger sheets of material. The Examiner's misconstruction of the Morefield patent is proven false by the Morefield patent itself where at column 4, lines 15-17 it is stated:

The bonnet 12 and the body 14 are die cast from a low ductility zinc alloy.

The bonnet and body are expressly not cut from larger sheets of material and there can be no beveled surface that is provided in the areas defining cut lines. As such, claim 5 is not anticipated by the Morefield patent.

Claim 6 depends from claim 4 that states that the beveled surface is provided on the inner panel and further specifies that the beveled surface is provided in the areas defining surface curvature. To reject claim 6, the Examiner simply states that Morefield discloses a hem assembly wherein the hem assembly includes areas that define surface curvature and wherein the beveled surface is provided in areas defining surface curvature. The crimp joint 20 between the bonnet 12 and body 14 of the Morefield patent does not include an

area that defines surface curvature. As seen in Figure 1 of the Morefield patent, the crimp joint is in a single plane that does not define surface curvature in areas where the beveled surface is provided.

Claim 9 is directed to an inner sheet formed panel that is hemmed by an outer panel. The inner panel has a peripheral flange having a nominal thickness. The peripheral flange comprises an end that has a height that is less than the nominal thickness of the flange. The flange has an inboard surface that is perpendicular to the end and a beveled surface that is located between and contiguous with both the end surface and the inboard surface. The beveled surface is disposed in a plane that is recessed relative to the end and inboard surface. Claim 9 further states that the outer panel has a peripheral edge that includes an intermediate portion that is received by the beveled surface. The Examiner's position with regard to claim 9 as being anticipated is derived at by referring to the bonnet 12 of the Morefield patent as an inner panel which it is not. The inner panel, as claimed, has a peripheral flange having a nominal thickness, but the Morefield patent discloses a flange that does not have a nominal thickness, but is tapered as shown by the surface 84 and indicated by phantom lines in Figure 6 of the Morefield patent. The Examiner again relies upon his division of bead 82 of the Morefield patent into a peripheral flange that comprises an end B, an inboard surface A and is perpendicular to the end and a beveled surface C located between the end and inboard surfaces. Fairly read, the Morefield patent merely discloses a simple radiused bead 82 and does not correspond to the tortured reading required by the Examiner's analysis that breaks the bead 82 into an end, an inboard surface and a beveled surface. The Morefield patent does not disclose a beveled surface at reference letter C, let alone one that is recessed relative to an end and an inboard surface as specified in claim 9.

Turning now to the Examiner's rejection of claim 3 under 35 U.S.C. § 103(a), claim 3 is directed to an inner panel that is comprised of magnesium composite material. To reject claim 3, the Examiner proposes a combination of Morefield and Hobb et al. for Hobb's disclosure of a sheet metal panel made up of a magnesium composite material. The Hobbs patent discloses a slat structure for a trailer that happens to disclose aluminum alloy slats that have .05% to 1.2% by weight magnesium. The Hobbs patent does not otherwise supplement or teach or suggest Applicants' invention when combined with the Morefield patent as

distinguished above. The Hobbs reference relates to an improved trailer slat for a livestock trailer, while the Morefield patent relates to a crimp joint 20 for a gas regulator 10 of an LP gas system. There is no suggestion or teaching in either of the references to combine them as suggested by the Examiner.

Applicants request that the Examiner withdraw the rejection to the claims and pass this case to issue.

Respectfully submitted,

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Date: November 1, 2005

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